



# State of Utah

## DEPARTMENT OF NATURAL RESOURCES


MICHAEL R. STYLER  
*Executive Director*


### Division of Oil, Gas and Mining

JOHN R. BAZA  
*Division Director*

May 26, 2011

TO: Informal Rules Review Group

THROUGH: John R. Baza, Director 

FROM: Steve Schneider, Administrative Services & Policy Coordinator 

SUBJECT: Solicitation of Comments on Minerals Program Rule Amendments,  
S.B. 282 Small Mining Operations and S.B. 15 Surety Requirements for Mining

This letter is written to seek your comments during the informal rulemaking process on a Minerals Program rule proposal resulting from two Senate bills during the 2011 General Session of the Legislature. The Board of Oil, Gas & Mining was briefed at their public meeting on May 25, 2011 prior to this proposal proceeding to the Informal Rules Review Group for comments.

S.B. 282 modified the statutory definition of small mining operations from five or less surface acres to ten or less surface acres in an unincorporated area of a county or five or less surface acres in an incorporated area of a county. Also, S.B. 15 added a requirement for the Board to annually establish a figure representing the average cost of reclamation per acre after a presentation by the Division and an opportunity for public comment. The average rate per acre for reclamation is one of the options in the existing Minerals rules for surety determination for exploration and small mining permits.

Please take this opportunity to review this proposal and provide a response to Steve Schneider by **June 20, 2011 at noon**, if you desire. The Board on May 25<sup>th</sup> inquired on how to manage an approved small mining permittee on five to ten surface acres of unincorporated land and the land subsequently becomes incorporated, so you may comment on this matter also. Consideration will be made of your comments to this letter prior to proceeding with formal rulemaking with the Board.

I can be reached by e-mail at [steveschneider@utah.gov](mailto:steveschneider@utah.gov) or by telephone at 801-538-5328 if you have any questions. Thank you in advance for your consideration of this matter.

Attachments

